

EXHIBIT 1

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE COVIDIEN PLC SECURITIES
LITIGATION

CASE NO. 1:14-CV-12949-LTS

**DECLARATION OF JASON M. LEVITON IN SUPPORT OF AWARD OF
ATTORNEYS FEES AND REIMBURSEMENT OF EXPENSES FILED ON BEHALF OF
BLOCK & LEVITON LLP**

I, Jason M. Leviton, declare as follows:

1. I am a partner at the law firm of Block & Leviton LLP. I submit this declaration in support of Lead Plaintiff's application for an award of attorneys' fees and request for reimbursement of expenses in connection with the services rendered in this action, on behalf of all Plaintiffs' counsel who contributed to the prosecution of the claims in the above-captioned action (the "Litigation") from inception through August 31, 2015 (the "Time Period").
2. My firm served as Liaison Counsel in the Litigation. As Liaison Counsel, my firm was actively involved in all aspects of the prosecution of the Litigation on behalf of the Plaintiffs. Specifically, my firm performed customary liaison counsel tasks for Plaintiffs and the putative class, including, but not limited to: reviewing the factual and legal claims raised in the Litigation; editing and reviewing pleadings drafted by the Court-appointed Co-Lead Counsel; appearing before this Court at hearings; and filing documents and pleadings with the Court.
3. The schedule attached hereto as Exhibit A is a summary indicating the amount of time spent by each attorney and professional support staff of my firm who was involved in the prosecution of the Litigation, and the lodestar calculation based on my firm's current billing rates. For personnel who are no longer employed by my firm, the lodestar calculation is based

upon the billing rates for such personnel in his or her final year of employment by my firm. The schedule was prepared from contemporaneous daily time records regularly prepared and maintained by my firm, which are available at the Court's request. Time expended in preparing this application for fees and payments of expenses has not been included in this request.

4. The hourly rates for the attorneys and professional support staff in my firm included in Exhibit A are the same as the regular rates which have been submitted in lodestar cross-checks in fee applications approved in other securities and shareholder litigations.

5. The total number of hours expended on this litigation by my firm during the time period is 47.5 hours. The total lodestar for my firm for those hours is \$23,655.00 for attorneys' time and professional support staff time.

6. My firm's lodestar figures are based upon the firm's billing rates, which rates do not include charges for expenses items. Expense items are billed separate and such charges are not duplicated in my firm's billing rates.

7. As detailed in Exhibit B, my firm has incurred a total of \$245.60 in expenses in connection with the prosecution of the Litigation during the Time Period.

8. The expenses incurred in the Litigation are reflected on the books and records of my firm. These books and records are prepared from expense vouchers, check records and other source material and are accurate record of the expenses incurred.

9. With respect to the standing of my firm, attached hereto as Exhibit C my firm's résumé.

10. I declare under penalty of perjury that the foregoing is true and correct. Executed this 31st day of August, at Boston, Massachusetts.

/s/ Jason M. Leviton

Jason M. Leviton, Esq.

EXHIBIT A

In re Covidien Plc Securities Litigation, Case No. 1:14-CV-12949-LTS

LODESTAR REPORT

FIRM: Block & Leviton LLP

REPORTING PERIOD: Inception through August 31, 2015

PROFESSIONAL	STATUS	HOURS	HOURLY RATE	LODESTAR
Jason M. Leviton (P)	Partner	3.9	\$650.00	\$2,535.00
Mark A. Delaney	Associate	37.70	\$525.00	\$19,792.50
Julie Ledwig	Paralegal	5.9	\$225.00	\$1,327.50
TOTAL			47.50	\$23,655.00

EXHIBIT B

In re Covidien Plc Securities Litigation, Case No. 1:14-CV-12949-LTS

EXPENSE REPORT

FIRM: Block & Leviton LLP

REPORTING PERIOD: Inception through August 31, 2015

EXPENSE	TOTAL AMOUNT
Court Fees	\$100.00
Online Research	\$84.00
Delivery Service/Messenger	\$40.00
Local Transportation	\$15.00
Copying/Printing	\$6.60
TOTAL	\$245.60

EXHIBIT C

In re Covidien Plc Securities Litigation, Case No. 1:14-CV-12949-LTS

Block & Leviton Firm Résumé

BLOCK & LEVITON LLP

Fight for a level playing field. Block & Leviton LLP believes investors, pensioners, consumers and employees deserve an advocate who will take a stand in order to protect their rights. We value our role not only in recovering our clients' immediate losses, but also in protecting their long term interests by helping to shape corporate policy. We genuinely enjoy our work, which each day offers an opportunity to tackle novel problems and unique challenges in a continuously evolving economy. Although Aristotle said it first, we concur: *Pleasure in the job puts perfection in the work.* We believe this is reflected in our track record, which includes our ability to take a case to trial and win, as well as our appointment as lead or co-lead counsel in many dozens of high profile matters, including: *In re BP Securities Litig.*, case no. 4:10-MD-02185, (S.D. Tex.), *In re Google Class C Shareholder Litig.*, case no. 7469-CS (Del. Ch.) and *In re: Drywall Antitrust Litigation*, case no. 13-cv-00382 (E.D.Pa.). In addition, our attorneys have successfully recovered billions for our clients and class members and have done so even under adverse conditions, including successfully litigating against bankrupt companies and foreign-based corporations.

Defy convention. Instrumental to our philosophy is the willingness to embrace new ways of seeing, and solving, our clients' problems. For example, in one recent case, we challenged Google Inc.'s plan to issue a new class of non-voting stock that would cause minority investors to lose money upon the issuance of the non-voting shares. With trial set to begin in less than two days, Block & Leviton brokered a settlement with Google Inc. and its directors that provided for a forward-looking payment ladder up to \$7.5 biillion to protect minority investors against future diminution in their stock value. As a result of the payment ladder, shareholders ultimately recovered \$522 million in cash and stock in May 2015.

Surround yourself with the best. The Firm credits its success to its entire team of extremely talented, dedicated attorneys, the majority of whom have significant litigation experience. With offices in Boston and the San Francisco Bay area, our bi-coastal team has extensive expertise in securities, antitrust and consumer law. An in-depth *curriculum vitae* highlighting each attorney's areas of expertise, unique experience, recognition in the field and education credentials follows.

www.blockesq.com

155 Federal Street, Suite 400 | Boston, MA 02110

492 9th Street, Suite 260 | Oakland CA 94607

OUR ATTORNEYS

EDUCATION

- ❖ Brooklyn Law School, J.D., *cum laude* 1986
- ❖ State University of New York, B.A., Political Science, *cum laude* 1983

JEFFREY C. BLOCK

Partner
Tel. 617-398-5600
Fax. 617-507-6020
Email. jeff@blockesq.com



BAR ADMISSIONS

- ❖ New York
- ❖ Massachusetts

COURT ADMISSIONS

- ❖ Southern District of New York
- ❖ Eastern District of New York
- ❖ District of Massachusetts
- ❖ United States Court of Appeals for the First, Second, Third, Ninth and Eleventh Circuits
- ❖ United States Supreme Court

PUBLICATIONS | SPEAKING EVENTS

- ❖ ALI-ABA Conference for Insurance and Financial Services Industry Litigation, July 2009, Lecturer and Panelist
- ❖ *Damages in Securities Litigation*, sponsored by Law Seminars International at the Harvard Club, Panelist
- ❖ *Litigation to Remedy Meltdown Damages: What Can Be Gained?*, Harvard Law School's Capital Matters Conference, Speaker
- ❖ Guest commentator on NBC

Mr. Block is a co-founding partner of Block & Leviton. With a career spanning almost thirty years, Mr. Block is recognized as one of the nation's preeminent class action attorneys. Mr. Block currently represents the Ohio Public Employees Retirement System in *In re: BP Sec. Litig.*, No. 4:10-MD-02185, (S.D. Tex.) charging that BP misled investors as to the amount of oil leaking from the Macondo well after the explosion aboard the *Deepwater Horizon* oil rig in the Gulf of Mexico in 2010. Mr. Block, on behalf of the plaintiffs, successfully argued against defendants' motions to dismiss the litigation and for the certification of the class. Mr. Block also represented the Brockton Retirement System in an action challenging Google's attempt to split its stock into voting and non-voting shares. See *In re Google, Inc. Class C Shareholder Litigation*, case no. 7469-CS (Del. Ch. Ct.). Two days before the start of trial, the action settled for significant corporate governance changes to protect Google's minority shareholders and a payment ladder of up to \$7.5 billion designed to protect shareholders against any diminution in the value of their shares during the first year of trading. As a result of the payment ladder, shareholders ultimately recovered \$522 million in cash and stock in May 2015.

In addition, Mr. Block has represented some of the country's largest institutional investors, including the Massachusetts Pension Reserves Investment Management Board (PRIM), the State of Michigan Retirement Systems, the Ohio Public Employees Retirement System, the Oklahoma Police Pension and Retirement System and the State Universities Retirement System of Illinois.

Some of the major class actions that Mr. Block has either led, or played a significant role in, include: *In re First Executive Corp. Securities Litig.*, 89-cv-7135 (C.D. Cal.) (settled for \$100 million); *In re Xerox Corp. Sec. Litig.*, 3:00-cv-01621 (D. Conn.) (settled for \$750 million); *In re Bristol Myers Squibb Sec. Litig.*, 02-cv-2251 (S.D.N.Y.) (settled for \$300 million); *In re Lernout & Hauspie Sec. Litig.*, 1:00-cv-11589 (D. Mass.) (settled for \$180 million); *In re Symbol Technologies Sec. Litig.*, 2:02-cv-1383 (E.D.N.Y.) (settled for \$127 million); *In re Prison Realty Corp. Sec. Litig.*, 3:99-cv-0452 (M.D. Tenn.) (settled for over \$100 million); *In re Philip Services Corp. Sec.*

Litig., 98-cv-835 (S.D.N.Y.) (settled for \$79.75 million); *In re American Home Mortgage Sec. Litig.*, 07-MD-1898 (E.D.N.Y.) (settled for \$50.5 million); *In re Force Protection Sec. Litig.*, 2:08-cv-845 (D.S.C.) (\$24 million settlement); *In re Swisher Hygiene, Inc., Securities and Derivative Litig.*, 3:12-md-2384 GCM (W.D.N.C.) (\$5.5 million settlement).

Mr. Block has a proven record of overcoming significant challenges in order to obtain substantial recoveries on behalf of his clients. For example, in the *Philip Services* securities litigation, Mr. Block persuaded the United States Court of Appeals for the Second Circuit to reverse the District Court's dismissal of the action on the grounds of *forum non conveniens*. See *Dirienzo v. Philip Services Corp.*, 294 F.3d 21 (2d. Cir. 2002). Upon reversal, Mr. Block led the team of attorneys in taking more than 40 depositions and, upon the eve of trial, the action settled for \$79.50 million, among the largest recoveries ever in a securities action from a Canadian accounting firm. Mr. Block's skills were discussed in great lengths by the court, specifically noting that counsel:

"pursued this fact-intensive and legally complex litigation vigorously over a nine-year period, rejected offers of settlement for amounts inferior to the amounts upon which the parties ultimately agreed, and assumed significant risks of non-recovery. Co-Lead Counsel had to overcome the disclaimers and uncertainties of insurance coverage, and vigorous advocacy of extremely able and deeply-staffed defense counsel. ... And **THEY DID THEIR WORK EFFICIENTLY, WITH MINIMAL DUPLICATION, AND MAXIMUM EFFECTIVENESS.**"

In re Philip Servs. Corp. Sec. Litig., 2007 U.S. Dist. LEXIS 101427, 13-14 (S.D.N.Y. Mar. 27, 2007) (Honorable Alvin K. Hellerstein). Similarly, in *Lernout & Hauspie Sec. Litig.*, Mr. Block was the lead attorney in securing over \$180 million for defrauded investors. The action involved an accounting fraud of a company headquartered in both the United States and Belgium.

Most recently, Mr. Block led a team of litigators, private investigators and a forensic accountant through a complex accounting fraud case. Mr. Block settled the case on terms extremely beneficial to the class, as recognized by the court. See *In re Swisher Hygiene, Inc., Securities and Derivative Litig.*, 3:12-md-2384 GCM (W.D.N.C.).

"I was careful to choose attorneys who have great ability [and] great reputation... And I think you've undertaken the representation of these people, you've done an excellent job, you've reached a settlement that I think is fair and in their benefit ...".

Honorable C. Weston Houck,
In re Force Protection Sec. Litig., 2:08-cv-845 CWH (D.S.C.) (\$24 million settlement)

"The settlement is – gosh. . . . the fact that it's occurring within the context of a securities case, which is very difficult for plaintiffs to win, is extremely impressive to me. . . . [T]his is a matter which has been fairly litigated by people who know what they're doing."

Honorable Graham C. Mullen, *In re Swisher Hygiene, Inc., Securities and Derivative Litig.*, 3:12-md-2384 GCM (W.D.N.C.) (\$5.5 million settlement)

EDUCATION

- ❖ Georgetown University Law Center, LL.M., Securities and Financial Regulations (Dean's Award (1 of 6))
- ❖ Gonzaga University School of Law, J.D., *cum laude*, Moot Court Council, International Law Review
- ❖ Gonzaga University, B.A., Philosophy and Political Science

BAR ADMISSIONS

- ❖ Massachusetts
- ❖ District of Columbia
- ❖ State of Washington
- ❖ State of Florida

COURT ADMISSIONS

- ❖ District of Massachusetts
- ❖ District of Washington D.C.
- ❖ Western District of Washington

PUBLICATIONS | SPEAKING EVENTS

- ❖ Guest on *Rights Radio*
- ❖ Securities Law360 Commentator
- ❖ SEC Litigation Release No. 18638, primary author
- ❖ Contributor, *After the Ball is Over: Investor Remedies in the Wake of the Dot-Com Crash and Recent Scandals*, Nebraska Law Review, 2005
- ❖ Speaker at Georgetown University Law Center on prosecution of securities class action lawsuits
- ❖ Presenter at Business Law Symposium entitled *Shareholder Rights: An Idea Whose Time has Come*, November 2013
- ❖ Presenter at National Conference on Public Employee Retirement Systems' Summer Conference, May 2013

JASON M. LEVITON

Partner
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Mr. Leviton is a co-founding partner of Block & Leviton and focuses his practice on investor protection and shareholder rights matters. He serves as Co-Chair of the Firm's New Case Investigation and Monitoring Team and Chair of the Merger and Acquisition Litigation Team. In 2011, 2012, 2013, and 2014, Mr. Leviton was named a "Rising Star" by *Massachusetts Super Lawyers*, an honor given to only 3% of all lawyers in the Commonwealth. In 2014, Mr. Leviton was named as a Top 100 Trial Lawyer by the National Trial Lawyer Association. After receiving his law degree, Mr. Leviton attended the Georgetown University Law Center and received a Master of Laws (LL.M.) in Securities and Financial Regulation (Dean's Award, 1 of 6). During that time, he was the inaugural LL.M. student selected for an externship with the S.E.C., Enforcement Division. Mr. Leviton is now a member of the Association of Securities and Exchange Commission Alumni.

Currently, Mr. Leviton represents several Ohio Pension Funds against BP following the largest oil spill in United States history. See *In re BP plc Securities Litigation*, 10-cv-2185 (S.D.Tex.). In addition, Mr. Leviton has been named lead or co-lead counsel in numerous class actions, including: *In re Plains Exploration & Production Co. Stockholder Litig.*, case no. 8090-VCN (Del. Ch.) (litigation led to an increase of approximately \$400 million to the original merger amount); *In re MIPS Technologies, Inc. Stockholder Litig.*, case no. 8103-VCN (Del. Ch.) (settled for numerous material disclosures and amendments to the merger agreement); *In re Cybex Int'l Shareholders Litig.*, case no. 653794/2012 (N.Y. Sup. Ct) (settlement involved substantial dividend payment to shareholders); and *In re Sunoco, Inc.*, case no. 1204-03894 (settlement required Sunoco to publish an update to its Proxy Statement to correct for material omissions). Moreover, Mr. Leviton acts as the *de facto* lead counsel for the Delaware-action involving the \$45 billion merger between Time Warner Cable and Comcast. See *Louisiana Municipal Police Employees' Ret. Sys. v. Black, et al.*, case no. 9410 (Del. Ch.).

Mr. Leviton has achieved significant recoveries on behalf of class members, including but not limited to: *In re Empire State Realty Trust, Inc. Investor Litigation*, case no. 650607/2012 (settled for \$55 million); *In re KIT Digital, Inc. Securities*

Litigation, case no. 12-04199 (S.D.N.Y.) (settled for more than \$6 million following the company's voluntary petition for bankruptcy); *In re Swisher Hygiene, Inc. Sec. and Deriv. Litig.*, MDL No. 3:12-MD-2384-GCM (W.D.N.C) (settled for nearly 40% of all cognizable damages); and *Brockton Retirement Board and City of Quincy Contributory Retirement Systems v. Oppenheimer Global Resource Private Equity Fund I, L.P., et al.*, case no. 1:12-cv-10552 (D. Mass.) (settled for numerous improvements to Oppenheimer's corporate governance structure regarding the valuation of assets). In addition to his class action experiences, Mr. Leviton has litigated other forms of complex litigation. For instance, he worked with a former State of New York Attorney General in the defense of an attorney accused of insider trading, which included a criminal referral to the United States Department of Justice. He was also heavily involved in the representation of four detainees being held at the Guantánamo Bay Naval Station in Cuba.

Moreover, Mr. Leviton has represented former employee whistleblowers before the S.E.C. where, in one instance, he successfully argued that his clients should receive the maximum whistleblower award of 30% pursuant to the Dodd-Frank Act, which equated to nearly \$1 million. He also represented the same whistleblower in a retaliation claim against several Oppenheimer-related entities. *See John Doe v. Oppenheimer Asset Management, Inc., et al.*, Case No. 1:14-cv-00779-LAP (S.D.N.Y.).

Mr. Leviton also has considerable experience litigating consumer class action cases involving deceptive business practices. For example, Mr. Leviton, as co-lead counsel, successfully recovered 100% of the class's alleged damages stemming from the overcharging of scooped coffee beans at Starbucks stores throughout the country. *See In re Starbucks Consumer Litig.*, case no. 2:11-cv-01985-MJP (W.D. Wa.).

Prior to forming Block & Leviton, Mr. Leviton was an attorney at three of the preeminent class action firms. There, he was instrumental in recovering \$10.5 million in the *Welmon v. Chicago Bridge & Iron*, case no. 06-cv-01283, securities class action litigation. In that case, Mr. Leviton represented Fortis Investments, a major European asset management company and, in addition to the monetary settlement, was able to institute several corporate governance changes at the company. In granting the *Chicago Bridge & Iron* settlement, the Honorable John Sprizzo stated that "**PLAINTIFFS' COUNSEL HAVE CONDUCTED THE LITIGATION AND ACHIEVED THE SETTLEMENT WITH SKILL, PERSEVERANCE AND DILIGENT ADVOCACY.**" *Chicago Bridge & Iron* (June 3, 2008). Moreover, in the *Ong v. Sears Roebuck & Co.*, case no. 03 C 4142 (N.D. Ill.), securities class action, Mr. Leviton represented the State Universities Retirement System of Illinois (SURS) and helped settle the action for \$15.5 million. He also represented the Iowa Public Employees' Retirement System, the Policemen's Annuity & Benefit Fund of Chicago, the Central States, Southeast and Southwest Areas Pension Fund in the securities class action against MF Global that settled for \$90.0 million. *See Rubin v. MF Global, LTD., et al.*, 08-cv-02233 (S.D.N.Y.). Likewise, he was a member of the *In re VeriSign Securities Litigation*, C-02-2270 (N.D. Cal.) team that recovered more than \$78.0 million for investors.

EDUCATION

- ❖ University of Virginia, J.D.
- ❖ Harvard College, A.B., Social Studies, *magna cum laude*
- ❖ University of Bonn, Bonn Germany
- ❖ Haderslev Katedraleskole, Haderslev, Denmark

BAR ADMISSIONS

- ❖ California
- ❖ Delaware

COURT ADMISSIONS

- ❖ Northern District of California
- ❖ Eastern District of California
- ❖ Central District of California
- ❖ Southern District of California
- ❖ United States Court of Appeals for the Second and Ninth Circuits
- ❖ United States Supreme Court

PUBLICATIONS | SPEAKING EVENTS

- ❖ “*Summary Adjudication: A View from Both Sides of the Bar*,” presented by the Bar Association of San Francisco, 2013
- ❖ “*Recent Events in Securities Cases*,” presented by the Bar Association of San Francisco, 2014
- ❖ Panelist for Women In Securities Conference, 2013

LANGUAGES

- ❖ German and Danish

LESLEY E. WEAVER

Partner
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Ms. Weaver joined Block & Leviton as a Partner in 2015. In her nearly twenty-year career, Ms. Weaver has worked with and opposed the nation's finest counsel, representing some of the largest U.S. pension funds in complex litigation in the U.S. and abroad. She secures outstanding results for her clients. Ms. Weaver was appointed co-lead counsel in *In re Drywall Antitrust Litigation* and is also counsel for the Cities of Palo Alto and Richmond, California on the Steering Committee of *In re Lithium Ion Batteries Antitrust Litigation*.

Ms. Weaver also represents certain states and municipalities in international antitrust litigation against foreign defendant manufacturers of auto parts *In re Auto Parts Antitrust Litigation*. This is reported to be the largest international cartel ever investigated, and has yielded over \$2 billion in criminal fines to date.

In October 2014, Ms. Weaver tried an internet privacy case against a Chinese-owned, California-based internet site, recovering 100% of economic damages and a \$15 million punitive damages jury verdict, as well as significant injunctive relief and additional damages from the bench. The case was pending in Santa Clara County.

Ms. Weaver represented some of the country's largest international investors, including the Ohio Public Employees Retirement System and the California Public Employees Retirement System. She has also worked effectively with various state Attorneys General to negotiate settlements affecting the rights of municipal and individual consumers. In addition, Ms. Weaver counsels private clients seeking to opt out of class action litigation, assisting them in negotiating confidential, private settlements with outstanding results.

Major class actions in which Ms. Weaver played a significant role include: *In re Marsh & McLennan Secs. Litig.* (\$400 settlement), *In re Cardinal Health Secs. Litig.* (\$600 million settlement), *In re Cisco Secs. Litig.* (\$99 million settlement), and *In re Boeing Secs. Litig.* (\$92.5 million settlement). She has been involved in landmark decisions such as *In re Cavanaugh Secs. Litig.*, holding that judges may not auction off the role of lead counsel in securities cases.

EDUCATION

- ❖ University of Virginia School of Law, J.D.
- ❖ University of Virginia, B.A., Economics and Literature

BAR ADMISSIONS

- ❖ California
- ❖ New York
- ❖ Massachusetts
- ❖ Texas

COURT ADMISSIONS

- ❖ Northern District of California
- ❖ Southern District of New York
- ❖ Eastern District of New York
- ❖ District of Massachusetts

PROFESSIONAL ACTIVITIES

- ❖ Co-Chair of the American Association for Justice Antitrust Litigation Group
- ❖ Law360 Competition Law Editorial Advisory Board
- ❖ Massachusetts Academy of Trial Attorneys
- ❖ National Association of Public Pension Attorneys

PUBLICATIONS | SPEAKING EVENTS

- ❖ Co-Author, *What Lies Ahead in High Stakes Pay-For-Delay Antitrust Litigation*, American Association of Justice Business Torts Newsletter (May 2015)
- ❖ Author, *Technology Assisted Review: the Disclosure of Training Sets and Related Transparency Issues*, Georgetown Law Advanced eDiscovery Institute (Fall 2014)
- ❖ Faculty, Georgetown University Law Advanced eDiscovery Institute (November 2014)
- ❖ Co-Author, *Decision Re-Affirms Critical Role of Shareholders Benefits and Pensions Monitor* (October 2014)
- ❖ Panelist, American Association for Justice Class Certification Seminar (2013)

WHITNEY E. STREET

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Block & Leviton Partner Whitney Street has over twelve years of complex litigation experience and significant expertise in antitrust and securities class action litigation. Ms. Street, who serves as Chair of the Firm's Competition Law Group, was recently appointed Co-Lead Counsel on behalf of a class of indirect purchasers in *In re Drywall Antitrust Litigation*, case no. 13-cv-00382 (E.D.Pa.), which involves allegations of price fixing and other forms of concerted conduct in violation of the antitrust laws. To date, Ms. Street has recovered more than \$10 million on behalf of the class of indirect purchasers. The litigation is ongoing against the remaining five defendants. In addition, Ms. Street represents the City of Providence in an antitrust class action suit against Celgene Corp. for unlawfully excluding generic competition for vital cancer treatment drugs. See *In re Thalomid and Revlimid Antitrust Litig.*, case no. 14-cv-06997 (D.N.J.). Ms. Street was also an integral part of the litigation teams in the following antitrust class actions: *Air Cargo Shipping Services Antitrust Litigation*, 06-md-1775 (E.D.N.Y.) (settlements totaling more than \$270.0 million); *In re: Ethylene Propylene Diene Monomer (EPDM) Antitrust Litigation*, 3:03-md-1542 (D. Conn.) (partial settlements totaling \$87.0); *In re: Methyl Methacrylate (MMA) Antitrust Litigation*, 06-md-01768 (E.D. Pa.) (settled for \$15.0 million); and *In re: Hydrogen Peroxide Antitrust Litigation*, 05-civ-666 (E.D. Pa.) (partial settlements of more than \$4.0 million).

Ms. Street has also litigated a number of major class actions on behalf of institutional and individual investors, including: *In re BP plc Securities Litig.*, 4:10-md-02185 (S.D.Tex.) (pending); *In re Google Class C Shareholder Litig.*, case no. 7469CS (Del. Ch.) (\$522 million settlement); *In Re Swisher Hygiene, Inc. Sec. and Deriv. Litig.*, MDL No. 3:12-MD-2384 (W.D.N.C.) (settled for \$5.5 million); and *In re Bear Stearns Companies, Inc. Securities Litig.*, 08-md-1963 (S.D.N.Y.) (settled for \$295 million).

Ms. Street received her training at prominent litigation firms in New York and Boston where she represented clients in antitrust and securities class actions. She began her career at Pillsbury Winthrop Shaw Pittman, one of the largest law firms in California.

EDUCATION

- ❖ Cleveland State University – Cleveland-Marshall College of Law, J.D.
- ❖ John Carroll University, B.A., Political Science

MATTHEW COX

Partner
Tel. 617-398-5600
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Email. matthew@blockesq.com



BAR ADMISSIONS

- ❖ Ohio

PROFESSIONAL AFFILIATIONS

- ❖ Cox Consulting Group, LLC, President
- ❖ Board of United Cerebral Palsy of Greater Cleveland, Chairman of the Board
- ❖ Project: LEARN (Let Every Adult Read Now), Board Member
- ❖ Board of Regents of John Carroll University, Board Member
- ❖ Ohio Lottery Commission, Board Member

Block & Leviton Partner Matthew Cox has the unique experience of having worked directly with state institutions and some of the nation's largest pension funds in the evaluation, filing and execution of securities class action claims. As Senior Deputy Attorney General under former Ohio Attorney General Jim Petro, Mr. Cox directly represented Ohio's five pension fund systems, the Ohio Bureau of Workers' Compensation Fund and the Ohio Treasurer of State.

In this role, Mr. Cox had a fiduciary responsibility to Ohio's pension boards, retirees and citizens in the evaluation of securities law claims during a time when Ohio first took an active leadership role in bringing claims against companies who committed securities fraud. The efforts of the Ohio Attorney General's Office, working closely with Ohio's pension funds, during this time were instrumental in Ohio obtaining lead counsel status in a number of high profile securities litigation cases.

During his tenure at the Ohio Attorney General's Office, Mr. Cox was the lead coordinator for some of the largest and most complicated securities litigations in history, including, but not limited to actions against: Federal National Mortgage Association (Fannie Mae), Federal Home Loan Mortgage Corporation (Freddie Mac), Global Crossing Ltd., Enron Corp., AOL Time Warner Inc. and Worldcom, Inc. These cases led to significant recoveries for the Ohio pension funds and other investors. Mr. Cox's experience working directly with pension funds, their counsel and elected officials in the pursuit of securities claims adds to Block & Leviton's commitment to sound judgment and client centered service.

Mr. Cox's career includes work for the Ohio Auditor of State as a regional attorney and in private practice at a large Cleveland, Ohio based law firm.

EDUCATION

- ❖ Hofstra Law School, J.D. , with highest honors

BAR ADMISSIONS

- ❖ New York

COURT ADMISSIONS

- ❖ Southern District of New York
- ❖ Eastern District of New York
- ❖ District of Arizona
- ❖ Federal Courts of Appeals for the Second, Third, Fifth and Eighth Circuits

PROFESSIONAL ACTIVITIES

- ❖ New York State Bar Association

LAURENCE A. PASKOWITZ

Of Counsel
Tel. (212) 685-0969
Email. larry@blockesq.com

Mr. Paskowitz joined Block & Leviton as Of Counsel in 2014. He received his training at prominent national firms specializing in shareholder and consumer rights, and complex corporate litigation. With more than 30 years of experience, Mr. Paskowitz has served as lead counsel or co-lead counsel on dozens of shareholder actions, including *In re Netcreations Shareholder Litigation* (improvement in buyout price of \$12 million for class of investors), *In re CSFBdirect Shareholders Litigation* (shareholders who objected to unfair tender offer price paid \$36 million more for their shares pursuant to settlement), *Steven Madden Corp. Derivative Litigation* (achieving \$8.6 million derivative settlement in action alleging unfair employment contract for CEO who was convicted of money laundering and securities fraud), *Capital One Consumer Practices Litigation* (predatory lending practices), and he played a key role in achieving a \$41 million settlement in *In re New Power Secs. Litig.*, 02 CV 0550 (SDNY). He was also among a team of lawyers who initiated the shareholder litigation over the collapse of USN Communications, an action which was resolved for \$45 million.

In addition, Mr. Paskowitz recovered \$20 million in cash in a “short swing” insider profit case--what was then the largest cash recovery ever achieved in a case of that nature *Steiner v. Williams*, 2001 U.S. Dist. LEXIS 7097 (S.D.N.Y. May 31, 2001) (“Here the shareholders...received a \$20,000,000 benefit as a sole result of the diligence and sagacity of Plaintiff’s counsel.”).

Mr. Paskowitz has published articles that have appeared in the *Hofstra Law Review* and *The New York Law Journal*, and has been a member of the New York State Bar Association Committee on Class Actions. Mr. Paskowitz has been admitted to the U.S. District Courts for the Southern and Eastern Districts of New York, the District of Arizona, and the Federal Courts of Appeals for the Second, Third, Fifth and Eighth Circuits. He has practiced before federal and state courts throughout the country, and before the Judicial Panel on Multidistrict Litigation.

EDUCATION

- ❖ University of Pennsylvania School of Law, J.D.
- ❖ The Wharton School, University of Pennsylvania, Cert. of Study
- ❖ Cornell University, B.S., Industrial & Labor Relations

BAR ADMISSIONS

- ❖ New York
- ❖ Massachusetts

COURT ADMISSIONS

- ❖ Southern District of New York
- ❖ Eastern District of New York

STEVEN P. HARTE

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Steven Harte has over a dozen years of complex litigation experience and significant expertise in several types of class action litigation, including securities and products' liability. Mr. Harte currently serves as co-lead counsel in *In re Onyx Pharmaceuticals Inc. Shareholder Litigation*, case no. CIV523789 (Cal. Sup. Ct.), where he represents the Louisiana Municipal Police Employees' Retirement System in a matter arising out of Onyx's \$11 billion dollar merger with Amgen and *Arendt v. Kinder Morgan Energy Partners L.P. et al.*, case no. 10093-VCL, a highly complex class action involving unique issues of Delaware corporate and limited partnership law. He also currently represents the Ohio Public Employees Retirement System in *In re BP plc Securities Litig.*, 4:10-md-02185.

Most recently, Mr. Harte successfully asserted the rights of shareholders in *In re Plains Exploration & Production Co. Stockholder Litigation*, challenging Plains' \$7 billion merger with Freeport-McMoRan Copper & Gold Inc. Plains shareholders ultimately received approximately \$400 million above the initially agreed upon merger consideration. He also recently achieved monetary recoveries for shareholders in *In re: Mod-Pac Corp.* Index No. 800621/2013 (N.Y. Sup. Ct.) and *In re: Cybex Int'l, Inc.*, Case No. 653794/2012 (N.Y. Sup. Ct.).

Prior to joining Block & Leviton, Mr. Harte was an attorney at Choate Hall & Stewart, LLP, where he was a core member of the litigation and government enforcement practice groups. He began his career in the New York office of Jones Day, one of the three largest law firms in the world. Prior to joining Block & Leviton, Mr. Harte served as a lead associate in a number of class actions, major government investigations and antitrust matters, including the Enron securities litigation and class action lawsuits involving R.J. Reynolds Tobacco (*Schwab v. Phillip Morris et al.*, case no. 04-CV-1945). He was also responsible for exhaustive investigations into, and defenses against, stock option back-dating allegations. His government enforcement experience includes representation of a Fortune 100 pharmaceutical company in complex, multi-year federal grand jury investigation into sales and marketing practices.

EDUCATION

- ❖ Harvard Law School, J.D., *cum laude*
- ❖ Wilfrid Laurier University, B.A., Political Science *with high distinction*

JOEL A. FLEMING

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**BAR ADMISSIONS**

- ❖ California
- ❖ Massachusetts

COURT ADMISSIONS

- ❖ Ninth Circuit
- ❖ First Circuit
- ❖ Northern District of California
- ❖ Central District of California
- ❖ District of Massachusetts

PUBLICATIONS

- ❖ Co-author, *Decision Re-Affirms Critical Role of Shareholders*, Benefits and Pensions Monitor (October 2014)
- ❖ Co-author, *Meltdowns crank up muni-bond litigation*, Daily Journal (September 18, 2013)
- ❖ Co-author, *SEC takes hard line on 'cyber incidents'*, Daily Journal (April 5, 2013)
- ❖ Co-author, *Lower Courts Interpret The Supreme Court's Decision In Janus Capital Group, Inc. v. First Derivative Traders*, Financial Fraud Law Report 4:5 (May 2012)

PROFESSIONAL ACTIVITIES

- ❖ Visiting Lecturer, Tufts University: Experimental College (2013-Present)

Block & Leviton Associate Joel Fleming has significant experience in complex and class action litigation. Mr. Fleming is currently litigating a class action against Boston Children's Hospital on behalf of former medical residents who failed to receive refunds of improperly withheld payroll taxes. He is also litigating a whistleblower retaliation claim under the Dodd-Frank Act on behalf of a former employee of Oppenheimer & Co. See *Colella v. The Children's Hospital Corp.*, No. 14-11687 (D. Mass.) and *Doe v. Oppenheimer Asset Management, et al.*, 1:14-cv-00779 (S.D.N.Y.). He also serves as the lead associate challenging Reynolds' conflicted attempt to purchase Lorillard Inc. for \$27.4 billion. See *Corwin v. British American Tobacco, et al.*, 14 CVS 8130 (N.C. Sup.).

Mr. Fleming also represents former shareholders of Onyx Pharmaceuticals in litigation challenging the inadequate price negotiated in the sale of the company in derivative litigation against current and former board members See *In re Onyx Pharmaceuticals, Inc. Shareholder Litigation*, No. CIV523789 (Cal. Sup. Ct.).

Prior to joining the firm, Mr. Fleming worked at Wilmer Cutler Pickering Hale and Dorr—a large defense firm headquartered in Boston and Washington, D.C. While at WilmerHale, Mr. Fleming served as a member of the trial team in *AATI v. Skyworks*, the first-ever arbitration to go to trial before the Delaware Chancery Court, in a case involving a merger-related dispute between two companies in the high technology industry. Mr. Fleming represented both companies in a subsequent shareholder class action that ended with the dismissal with prejudice of all counts. Mr. Fleming also served as a trial team member representing the Public Service Department of the State of Vermont in a contested proceeding involving the proposed relicensing of the Vermont Yankee nuclear plant.

Mr. Fleming's other representations included: a multinational financial institution in a complex internal investigation; State Street Corporation in multidistrict litigation brought by current and former customers; and the audit committee of one of the world's leading Internet companies in an internal investigation.

EDUCATION

- ❖ Northeastern University School of Law, J.D.
- ❖ McGill University, B.A., Political Science & International Development Studies

BAR ADMISSIONS

- ❖ Massachusetts
- ❖ Rhode Island

COURT ADMISSIONS

- ❖ District of Massachusetts

PROFESSIONAL ACTIVITIES

- ❖ Women's Bar Association
- ❖ Co-Author, *What Lies Ahead in High Stakes Pay-For-Delay Antitrust Litigation*, American Association of Justice Business Torts Newsletter (May 2015)

LEIGH E. O'NEIL

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Ms. O'Neil is an Associate at Block & Leviton where she focuses on antitrust, securities and consumer protection litigation. As a member of the Antitrust Litigation Group, Ms. O'Neil is involved in cases such as *In re Drywall Antitrust Litigation*, Case No. 13-cv-00382 (E.D. Pa.) and *In re Lithium Ion Batteries Antitrust Litigation*, Case No. 13-MD-02420 (N.D. Cal.), both of which involve allegations of price fixing.

Ms. O'Neil has also litigated numerous securities class action cases, most recently serving as a key member of the trial preparation teams in the cases of *In re Google Inc. Class C Shareholder Litigation*, Case No. 7469CS (Del. Ch.) and *In re BP plc Securities Litigation*, Case No. 4:10-md-02185 (S.D. Tex.). Ms. O'Neil also represents the former shareholders of Onyx Pharmaceuticals in derivative litigation against current and former board members alleging inadequate price negotiations during the sale of the company. See *In re Onyx Pharmaceuticals, Inc. Shareholder Litigation*, No. CIV523789 (Cal. Sup. Ct.).

Prior to joining the firm, Ms. O'Neil was a Commercial Litigation Associate at Cooley Manion Jones LLP (now Manion Gaynor & Manning LLP) in Boston, MA. There, Ms. O'Neil was chosen as a member of the trial team in *Invista B.V. et al. v. E.I. DuPont de Nemours & Co.*, Case No. 08-3063 (S.D.N.Y.), where she assisted in litigating hundreds of millions of dollars in environmental remediation costs in the United States District Court for the Southern District of New York, ultimately resulting in a favorable settlement after three weeks of trial.

While in law school, Ms. O'Neil was a law clerk at Cooley Manion Jones where she worked on a variety of complex commercial litigation cases. Ms. O'Neil also completed internships with the Honorable Judith G. Dein of the United States District Court for the District of Massachusetts, and in the Civil Division of the United States Attorney's Office in Boston. Her caseload at the U.S. Attorney's Office included both affirmative and defensive civil litigation with a focus on multi-district pharmaceutical litigation.

EDUCATION

- ❖ Northeastern University School of Law, J.D.
- ❖ Vanderbilt University, B.A., Economics & Corporate Strategy

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BAR ADMISSIONS

- ❖ Massachusetts

COURT ADMISSIONS

- ❖ District of Massachusetts
- ❖ Eleventh Circuit Court of Appeals

PROFESSIONAL ACTIVITIES

- ❖ Women's Bar Association
- ❖ National Association of Public Pension Attorneys

Ms. Langsen is an associate at Block & Leviton where her practice focuses on antitrust, securities and employment class action litigation. Ms. Langsen is an integral member of a team of attorneys litigating the antitrust class action *In re Drywall Antitrust Litigation*, case no. 13-cv-00382 (E.D. Pa.), recovering more than \$10 million on behalf of the class to date. The litigation is ongoing against the remaining five defendants. Ms. Langsen also represents the City of Providence in an antitrust class action against Celgene Corp. (*In re Thalomid and Revlimid Antitrust Litig.*, case no. 14-cv-06997 (D.N.J.)), which alleges that Celgene unlawfully excluded generic competition for vital cancer treatment drugs.

Ms. Langsen, who is a member of the Firm's New Case Investigation and Portfolio Monitoring Team, has also represented numerous classes of investors asserting various securities claims. For example, she is currently litigating *In re BP plc Securities Litigation*, case no. 4:10-md-02185 (S.D. Tex.) and was part of a team of attorneys who recovered favorable settlements for investors in the securities class actions *In re Cybex Int'l*, case no. 653794/2012 (merger premium increased by over 10%), and *In re Swisher Hygiene, Inc.*, case no. 3:12-MD-2384-GCM (settlement of \$5.5 million).

In addition, Ms. Langsen is a member of the Firm's Employment Litigation Team, where she has represented tradesmen seeking unpaid employment benefits and other damages from nation and multi-national retailers. She recently recovered a significant settlement (\$6.5 million) in favor of a class of California installers in *Shephard v. Lowe's HIW, Inc.*, case no. 12-cv-03893 (N.D. Cal.).

Before joining Block & Leviton, Ms. Langsen was one of three Northeastern University School of Law students selected for an internship with the S.E.C., Enforcement Division. In addition to interning at the S.E.C., Ms. Langsen served as a judicial intern with the United States Department of Labor's Boston District Office of Administrative Law Judges where she drafted administrative orders on various labor law matters.